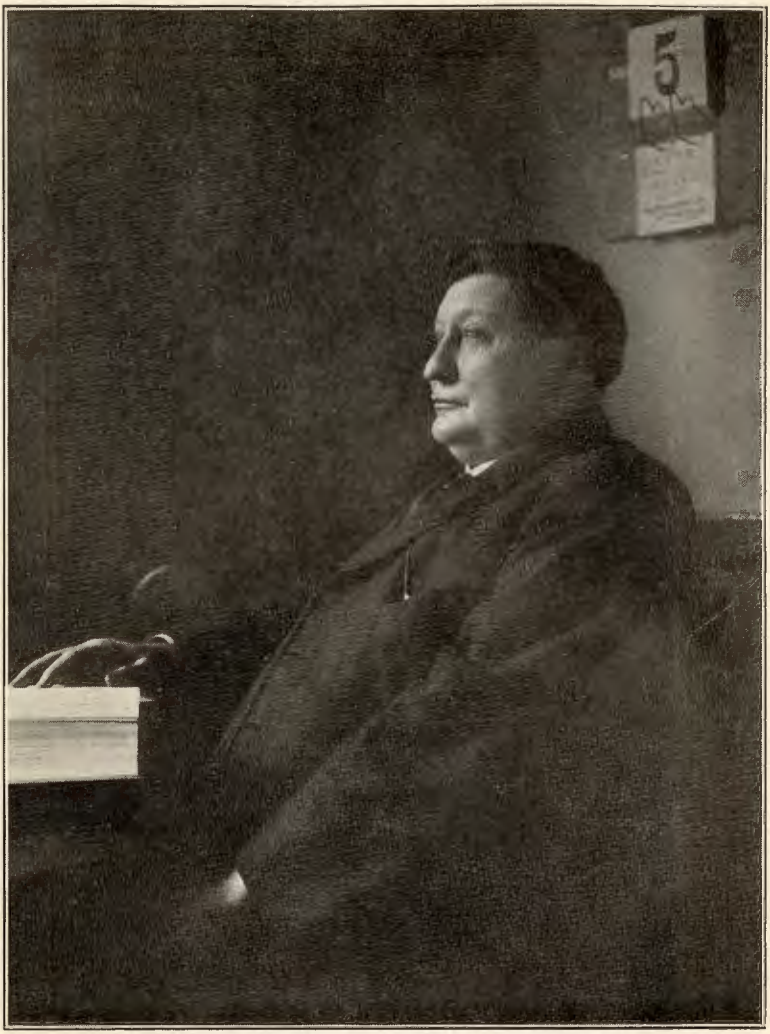
Jottings of a Judge



John L. Vaughan.

Jottings of a Judge

ACKNOWLEDGMENT

The author tenders his sincere acknowledgment to the many friends by whose generous courtesy the writing of this book has been made possible.

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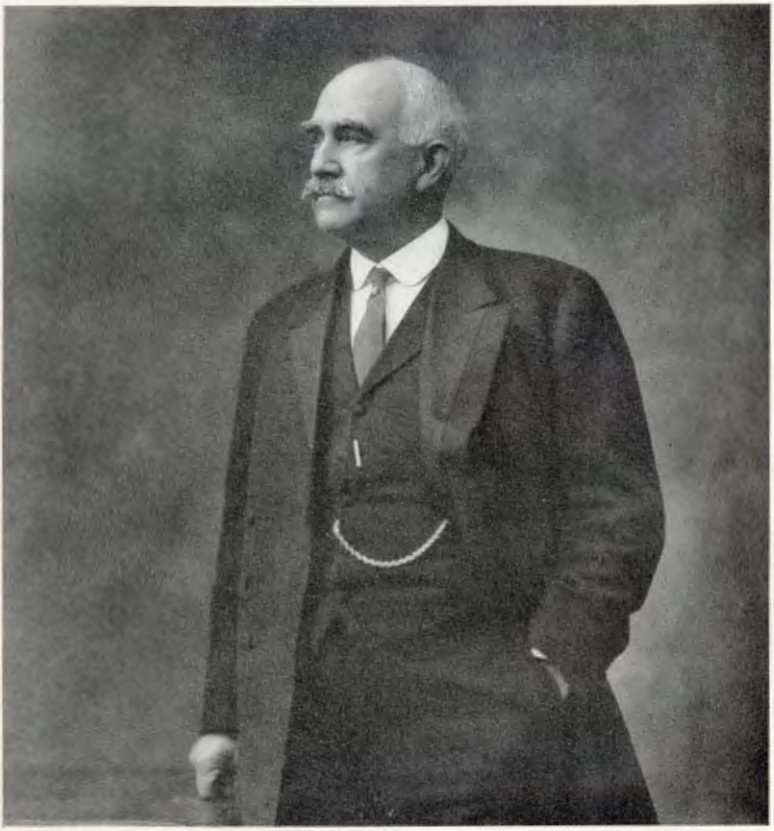


EX-GOVERNOR HARMON

INTRODUCTION

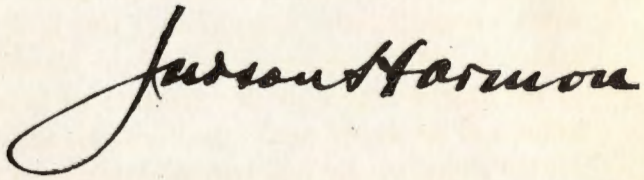
I have read the manuscript of Judge Vaughan's very interesting book with much pleasure and profit. The nomenclature employed is that in general use among the English speaking public, and the subject matter is treated in such a comprehensive and concise manner that makes it a valuable contribution to the constructive administration of justice.

In my official capacity as Governor of Ohio for a period of four years, I granted many paroles and pardons. In each instance it was my unfailing practice to make a personal investigation into the facts and circumstances surrounding each case coming under my jurisdiction. Naturally I read many books dealing with problems similar to those discussed in this volume, so as to enable me to know the ideas and opinions of others who had to determine similar cases.

INTRODUCTION

This volume is particularly adapted to all classes, both men and women. Each page pulsates with living characters who have passed through the human drama of court life.

Judge Vaughan is now giving the public the benefit of a very broad experience in the administration of justice, and I earnestly recommend his book not only to those who pass judgment on the unfortunates who come in conflict with the legal and moral laws, but also to the public at large, which has a direct and appreciative interest in the subject so wonderfully portrayed.



FOREWORD

Back to the time when the memory of man runneth not to the contrary, it has been the custom of authors to prefix to their books some sort of statement, more or less explanatory or defensive of the literary bantling then brought into the world.

This premonitory deliverance used to be called a preface. Latterly "Foreword" has been substituted; the change has the merit of brevity. In the present case at least, "Afterword" would be the apter term. For it is said, not at the beginning but at the close, of the forthbringing of this creature of my brain and my experience. And now, having settled down to the forewording business, I hardly know, after all, what I should say, or whether I ought to say anything. I do not purpose to take back or unsay what I have written, and I do not feel called upon to de-

fend any utterances of my book. Such as it is, the reader has it as I have seen and felt every word within its covers.

Sometimes this ushering in is used to introduce some motto or other—a favorite of the author, or a catchword, calculated to stimulate the interest or fix the attention of the reader. But mottoes are subject to great abuses. That of Virginia—"Sic Semper tyrannis"—was done into English of a Milesian admirer as saying: "He's sick, send for Maginniss." And once on a time not long since a large flaming banner bearing the words " E Pluribus Unum" was mistaken by a lady unversed in the dead languages, as a notice of a "Plumbers' Convention." So I early dropped that consideration.

When Virgil was about to die, he requested that the manuscript of the Aeneid should be burned, but Augustus stopped his pious intention and the world did not lose Maro's undying song.

I have no idea of committing my book to

the flames and through them to oblivion.

To be sure I am putting my literary wares to the hazards of a falling market—so to speak. That is to say, Akron rubber stocks are on the inclined planes. Undeniably there is unemployment. Erstwhile rosy-skied values are near total eclipse, and the uncharitable are fletcherizing the remnant—in the vulgate, chewing the rag—on the street corners.

As for me, my voice is still for Akron. The great commonwealth, mightiest of all the sons of Terra, will rise out of the depths of any adversity and assert its powerful regency over the industries which it has created and nurtured into the dominancy of a lusty economic manhood; I have no fears, no misgivings in that respect. I do not have to argue that Akron must be the center of the universe and in proof only point to the nicely fitting sky over us—its center looking down on its counterpart, the middle of our loved City.

I believe it is also true that the gentler modes of administering the criminal law, practiced by me and defended in my book, have fallen into much disrepute among us. The newspapers — and seemingly public opinion—are clamoring for harsher laws and more rigorous punishments. There appears to be a disposition — even in the Courts, or some of them—to deny to accused persons the constitutional safeguards of presumptive innocence and to frown upon encouragements to virtue and right living through a merciful administration of repressive laws.

But I am satisfied that the principle for which I have contended in my little book is right, and it is never safe to try conclusions with the consequences of a correct first principle. Time and experience will, I am confident, vindicate my position, and on these I can afford to wait. I am not apologizing even to what for the time passes for public applause; it is simply misinformed.

I have not hesitated in what I have written to lay under contribution any source which may add to the force of the lesson it has to teach, the story it has to tell. Whether the experience has been mine or that of another, I have tried to use it to point the moral contended for, to enforce the argument brought forward, and to strengthen a good cause.

"When 'Omer smote 'is bloomin' lyre,
He'd 'eard men sing by land an' sea;
An' what 'e thought 'e might require
'E went an' took—the same as me!"

So says Kipling, and so say I. I am not particular with whom I co-operate in doing a good work.

The swing of the pendulum of popular demand—often confounded with a wholesome public opinion—is just now towards mercilessness in dealing with crime. It will come back to a healthly level, where the safety of the community and the welfare of the of-

fender shall be in harmonious equipoise. Until the Golden Rule of the Master is repealed and replaced by a better, I shall respect and honor it in private station, even as I tried to administer it while a minister of public justice.

A part—no inconsiderable part—of this little book is to remind its readers that revenge can have no proper place as a motive for human conduct, and especially for judicial conduct. Vengeance has been reserved by the Great Judge of all as His own weapon —whether wielded in judgment or in mercy; for myself, I have been mindful not to usurp His power.

And so, dear reader—equally dear to me, whether you be gentle or harsh with this offspring of my heart; and, as I believe, the offspring of a mature and abounding experience —I leave it with you, to be read leniently if not approvingly.

Go, little book; I will not burn thee,
Go, roam at will the wide earth o'er;
And tell to all who do not spurn thee
Thy simple tale of Akron's lore.

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CHAPTER I
THE CITY

THE Rubber City, The City of Opportunity, the City of Goodrich, The Tip-Top City—by all of these names has Akron been hailed, and deservedly. One common note sounds through all—each can be traced to her activities, for Akron may above all be called "The City of Activities." Noted in earlier days as the abundant provider of sewerpipe, matches and oatmeal—incongruous trio—she has now gained the title of "Souterain of Rubber," a name with which to conjure in these days in which rubber plays so great a part in the world's work, a part controlled and dictated by our own country, for the United States is now not only the chief manufacturing center of the rubber industry but also the chief market for both crude and plantation rubber.

This is one of the side results of the Great War. London was formerly the rubber center, the port to which the bulk of production was shipped, and where prices were fixed. The war changed all that. New York is now the rubber market and arbiter of prices in that article. Of the huge quantities of rubber produced in the world the United States consumes yearly $500,000,000 worth. Altho our country possesses over a score of cities which own factories specializing in rubber, Akron is easily the premier manufacturing center of the world. Wherever rubber is mentioned, the name of Akron is brought up. So closely are the two names connected that amusing anecdotes are related of foreign workmen, bound for Akron, all agog to see the wonder rubber forests of their new destination, despite their dread of the wild men and wilder animals lurking in them. Belief in the fairy tale still survives.

Well, the history of rubber is as interesting as any fairy tale. Gumshoeing as a term

may not savor of the romantic but the rubber expert will dwell long and eloquently on the "Romance of Rubber," that strange product which, having begun its life ages ago in tropical jungles, completes the cycle in our busy city of the Middle West. Akron might well call rubber her "Fairy Godmother," for it was by the magic touch of rubber that Akron became a great city. The first rubber factory was established in 1869, then occupying a building 40 by 100 ft., and employing 25 men. The same company now covers a floorspace of 100 acres, lists over 20,000 employees, and manufactures over 30,000 articles of its peculiar product. Thirty other rubber factories cover with their plants hundreds of acres, plants that despite their magnitude are inadequate to the demands of this gigantic industry, for, of the greatest factories, is not one erecting a monster branch in Los Angeles, another at work on a huge new addition to cost millions, and a third ready with plans for an eleven-acre steel plant in

connection with its already mammoth enterprise, not to mention a multi-million branch in Canada?

The automobile industry, rivaling with conspicuous success her sister rubber, whose dependent she is, with all the accompanying needs for garage and parking facilities, disputes with rubber, as Poseidon with Athene over Athens, the right to christen the city whose inhabitants so generously patronize her. Akron possesses more than one half as many automobiles as one of the most progressive continents of the globe, Australia.

Round these supreme two, rubber and automobiles, cluster countless other businesses, ministers and assistants to them; while added, are all the activities indispensable to the population which, answering the call of these great forces, has fastened, is now hastening toward the "City of Opportunity," which during the last ten years has kept the eyes of both Capital and Labor riveted upon her, and "has served to the world as the

epitome" of the new democracy of business. Ambitious Labor all over America and in foreign lands has turned to Akron with all the zeal of the Moslem pilgrim toward Mecca, and that, too, in spite of the "Standing Room Only" sign with which at least one widely read periodical exploited the city. When under the caption cited, Edward Mott Wooley in McClure's for July, 1917, contributed to the series entitled "The Fame of the Cities," a leaf in Akron's chronicle of renown, people all over the country read with interest and wonder of this superhive of labor, where "beds work in shifts," where "tidal waves of humanity roll daily through a grotesque little Union Station" to swell an already overwhelming sea of population; where "families pre-empt henhouses" for habitations or "dwell in semi-finished attics."

Those who read might consider these quotations as statements embroidered to catch the public eye, but Akron's population needs no exaggeration. "With the exception of

war-born cities," says one expert, "built in their entirety for making munitions and populated by the government and corporations almost over night, no business city ever leaped upward as has Akron." Steadily increasing during the last decade of the nineteenth century, her population shot upward with pyrotechnic brilliancy, showing, to put it in cold statistics, an increase of 61%. Then came a still greater acceleration. The census of 1910 gave Akron a population of 69,067; the same expert quoted above provides us, as a conservative estimate of her 1919 population, 197,453. The 1920 Federal Census shows Akron's population as more than 200,000, the third city in the state, and the only city in the state or nation that has trebled her population in ten years. Add, that her bank deposits, bank clearings and business resources have kept pace with the population, and you see a phenomenal record. A Mushroom growth? By no means, for it is built on a solid rock of in-

dustry. Akron has no need to pray with Edward Everett Hale, "Deliver us, O Lord, from our terrible prosperity."

But with this unprecedented growth in a decade, have come necessarily rather serious economic difficulties. One of these is the congestion of population, which hampers every operation, and so far has defied every municipal effort. Akron's avalanche of toiling humanity, as one popular daily puts it, has gained ten laps on municipal funds in as many years, creating thus a very difficult situation, which requires prodigies of care and attention on the part of Akron's municipal powers. "Over the top" in population, "Deep in the Hole" in finance, is the score.

That Akron is not alone among American cities in having housing troubles is attested by periodicals all over the country. One can hardly pick up a paper in which the "Home" problem has not served as copy for either editor or cartoonist. But we are safe in saying that in no other city is the situation

so acute as in Akron, nor is this said in carping criticism. City officials, business magnates, private corporations, all have made and are now making stupendous endeavors to handle this superhuman problem properly. Yet in spite of huge efforts by both city and factories, nearly every day sees people, often of the kind most needed, leaving Akron after a weary and fruitless search for an abiding place. Newspapers riot in flaring headlines: "800 Rooms Required for Pedagogues in Rubber City! Are our children to go untaught because we cannot house teachers?" Stories are told hovering between the tragic and the comic. One will suffice for the many. James Thompson, seeking success in a city of success, brought his wife and three children with him. After walking the streets of Akron all day long in search of a home they found themselves at nightfall still in the streets in a pouring rain. The County Jail was the only refuge open to the Thompsons and their little brood, and even there to

satisfy technicalities they had to be charged with vagrancy. Such was "the end of a perfect day" for one would-be citizen of Akron. Many desirable jobs go begging because men capable of filling them find, like Noah's dove, no place to rest, for the most important factor in the life of an industrial worker is the home. Perhaps the greatest influence that a community can exercise on an industry lies in the opportunities it offers to the laborers in that industry to provide themselves with homes, at least comfortable and sanitary. The most stable and satisfactory workers are those who can speak of their "own homes."

No one with eyes needs to be told how bravely Akron is trying to meet this situation. A "Build Now" campaign is in full swing. Allotments have been opened in every quarter of the city to allow the congested districts relief. On every side may be seen farms in the process of transition to city lots, with "Sold" the most common placard. One for-

bears comment on the value of these erstwhile farmlands, acquired by the original owners at 40 cts. an acre. Realty dealers and building contractors are taxing to the utmost the capacity of their organizations to handle business. Everywhere one looks one sees buildings under construction. Values of building permits during late months tell a vital story. In April, 1919, Akron reported permits amounting to over $2,500,000, gaining fifth place for the month among American cities and showing a gain of 93 per cent over April, 1918. During the week ending July 21, 1919, building permits aggregating $1,545,310 were issued in Akron; for the month of July, the permits totaled $4,243,-407, nearly ten times as much as July, 1918. Since permits usually call for approximately one half the real cost of a building, it may be seen that the building to be done on those permits will amount to about $8,000,000. In seven years the value of building permits has vaulted from $4,803,362 in 1912 to

$7,937,568 in the first five months of 1919. A total of $11,000,000 in 1920 was recorded. Akron's activities in home-building, in fact, have been so conspicuous as to call for comment and praise in editorial columns all over the country. One well-put editorial from the Los Angeles Examiner closed by recommending to all civic leaders the example of the Rubber City. If through the various organizations now at work, this one acute and deplorable economic situation is relieved, Akron's future record as an industrial city will surpass even her past phenomenal one.

Having housed her population, Akron would then have to face the question of transportation for that same population, a question of difficulty in every large city, doubly so in our Rubber Metropolis. Her thoroughfare district is necessarily restricted. The incessant traffic of her business exigencies over the same ground; works such havoc on paved thoroughfares as to require con-

tinual uptearing and renewal. Amidst this continuous upheaval, crowd street railway cars, huge auto-trucks and farm wagons, while such a prodigious army of motor vehicles of all degrees of efficiency or decrepitude lure the traveler with 5-c signs that Akron might easily add to its already royal list of names that of "City of Jitneys." Akron's enormous quota of private automobiles, already mentioned, fills up every cranny left vacant on traffic routes by public conveyances. Verily the traffic squad of the City of Opportunity holds down no sinecure.

Water is another appalling necessity that staggers the City Fathers of Akron. Surrounded by a profusion of beautiful lakes, she utters the cry of the ancient sailorman celebrated by Coleridge. And yet the record of municipal achievement in that line is a proud one. In 1915 Akron generously voted $4,500,000 toward new reservoirs; within two years the factories were sending out frantic S. O. S. calls for more water. The

new $5,000,000 reservoir proved but a fleeting expedient; literally but a drop in the city's huge bucket, and Akron's invincible captains of industry are now planning an extension of her waterways on a Brobdignagian scale.

Merely from the daily-need standpoint Akron's population presents a stupendous problem. One prominent business man is quoted as saying, "Akron has long passed the time when she said her prayers and went to bed," and, to quote again a well known daily, "Akron never sleeps." Half her people must work in order that the other half may rest or be served. From the windows of her huge factories lights gleam all night while the shift that links day with night and night with day takes its turn at the colossal mill of labor. In business blocks armies of charwomen, janitors and watchmen hold sway. Window decorators, packers, carpenters, for whom there is no room by day in the department stores all too small for their teeming trade, are busy at night. Throbbing with

activity are telephone and telegraph offices. Congested business calls alone mount to the thousand, while even for local work many operators are needed. The taxi drivers, it goes without saying, ply as brisk a trade after midnight as in the daytime, and the multifold Service Stations render First Aid as continuously as by day. Bakers never close their work shops and yet they show empty shelves by 5 p. m. Luckless the man who tries to supply his daily bread after that hour. He goes away empty handed. All other food purveyors are as busy as the bakers. In families where all members work —and they are not uncommon—those on different shifts see one another only on Sundays, the one holiday of the big plants. The farce of "Box and Cox" might go on forever undetected in Akron. The Akronite who fain would write a sonnet to his city would wait in vain for the hour when "all that mighty heart is lying still." Akron never sleeps.

Yet, as the world goes, it is but a short span to the day when this throbbing, feverish, madly busy industrial center was one of the "loveliest villages of the plain," simple, sweet and contented, altho playing no undistinguished part in the development of Ohio. Go to one of her most beautiful streets, and you find yourself on classic ground, surrounded by mementos linking Akron with the past. Here was the picturesque Portage Trail, the line of demarcation between the Six Nations and the Western Indians, the great highway of mighty nations, whose story is rich in tradition and romance, old in history when the race destined to found Akron landed on the shores of North America. Highly reminiscent of poetry and the classics is also the name of Akron, the happy suggestion of Charles Olcott of Medina in 1828, the "Summit City"—Ακρον,—or shall we go even higher and call her "Αχρονος" the Undying One? One thousand feet above

the ocean, she is surely the Summit City, the Tip Top City.

Let us recall one of the historic incidents in Akron's past, one of the milestones on her path to prosperity. On July 4, 1827, the first canal boat cleared from Akron, amid the cheers of her population then 600 strong, who stood gazing with bated breath as the prodigy, the latest child of industrious pioneering moved at the mad rate of three miles per hour through the Portage and Northampton Hills. A few more years and the same population gazed again in wonder; instead of the Trail, a railroad stretched before them. Human ingenuity had outdone itself; the pinnacle of invention had been reached. One of Akron's citizens, Mr. Milo Fuller, endowed with poetic faculty, broke into stately verse to celebrate these great achievements.

"Hail lovely city! Thy unrivalled powers,
Thy feathered waters and thy lofty towers,
Thy sturdy cars in their majestic flight,

Thy rumbling coach, fast rolling thru the night,
Thy hundred wheels that raise the factory's din,
Thy boats swift gliding down each brook and lynn,
Thy growing greatness and thy busy clan,
Proclaim to all,—the enterprise of man."

With what emotions would Mr. Fuller's muse have struggled if within a hundred years it could have watched the "busy clan," now multiplied three hundred fold, scarcely lift their casual eyes to man's latest triumph, huge dirigibles from Wingfoot Station hovering over one of the biggest industrial centers of the world where countless progeny of the "hundred wheels" roar ceaselessly! Even at the time of Mr. Fuller's tribute to the "lovely city," situated as she was so as to command waterway and railway, she invited commercial enterprise, but it was the wizard touch of Rubber that led her into the present highway of prosperity and brought

to her doors a great consensus of human beings.

Large families, however delightful from a social standpoint, have ever been the cause of serious economic considerations. So in the case of Akron, and with complexities not native to the natural family. The old lady, for instance, who, having taken up her abode in that very unusual location, a shoe, found herself in a quandary in regard to managing and providing for a numerous and evidently unruly offspring, had a far less intricate problem than Akron, because of the homogeneity of that offspring. Akron's family is cosmopolitan to the nth degree. She is a small "Melting Pot" in herself. What race is not represented in her limits? Black, red, yellow, white, she can show them all. She has gathered on her pavements citizens of every country under the sun. Alphabetically they run from Australia to Yucatan; geographically from farflung China to Finland of the midnight sun. She has her

Ghetto, her Little Italy where all the twenty varieties of the Latin tongue from Roman to Calabrese may be heard; she has her Hungary and her Great Greece, and eke her Dublin. Of the twenty-nine countries embroiled in the great war not one was unrepresented in her population, a fact that has not always made for the city's civil peace, for the gunpowder of race antagonism is easily kindled by any spark of news or propaganda. Austria's feud with Serbia was fought out on many a street corner by Franz Leopold and Petro Popovich, and long before Greece decided to ship her faithless monarch he was done for by Achilles Neopolis in a kapheneion on Howard St. There is no race or language that Akron's directory does not record. From the sturdy land of Sweden to the smiling gardens of Sicily, from barren Serbia to lazy Turkey, they came to her gates and were received within. Incidentally, it is only fair to say that America's entry into the war seemed almost

to supply to this heterogeneous collection the lacking common denominator. Because of the unusual percentage of male residents of military age Akron's quota ran high in proportion to her population. Not counting Secretary Daniels' "patriots in overalls, who made possible the munitions for the army and the ships for the navy," not counting the young Guiseppes and Dimetris who rushed from pushcart and shoe parlor to board any craft out of New York that would carry them to fight for their native land, 16,000 men slipped out of Akron's life and industry to fill the navy, the marine and flying corps, the motor transport and field ambulance squads, to Camp Sherman and across the seas. Wounds and medals attest the bravery of these sons of Akron, the large majority of whom are back at their places in the great industrial plants. It is these plants that loom so important to most of this heterogeneous population, for a large proportion are laborers of whom a huge percentage

is employed in the factories. In rubber alone there are over 100,000 workers to whom the strange secretion lurking in the lattices of the Hevea Brasiliensis forest means life and food and family and even luxuries and sometimes things that are not so desirable as they seem at the moment.

To study this conglomerate people there is no place like one of the main streets on Saturday afternoon and evening, or on Sunday at the same hour, for it is only then that the great factories are closed, and the colossal body of workers are out on holiday, sunshine or rain. When the New Town of Sociology comes it will, of course, give to everyone such conditions of body, mind and spirit at all seasons, at work or at play, that he cannot fail to respond with all the best that is in him. Pending the coming of that glorious day, Akron employers can with all reason pride themselves on the conditions of labor in their city, but what of the conditions of leisure? The great mass of work-

ers, with no real homes, or but crowded tenements, with churches no longer active social forces, are thrown into the hands of commerce—and that, too, with plenty of cash in pocket. What is there for them but the shops, the streets, the motion picture theaters, the dens of chance, the dance hall? Even there the longing for companionship, for it is that as much as desire for amusement that draws them to the street, meets merely the cold satisfaction of seeing other people, of hearing their chance words, of involuntary contact as they pass. Read the *Sunday Times* when that kindly sheet opens its columns to the cries of the *solitary,* and you will glimpse the misery of loneliness that drives young men and girls out into the highways for hope of chance acquaintance. It is the young men to whom our pitying interest must be most directly turned, for Akron is one place where the number of unmarried men far overtops that of girls. Marriageable maidens are soon carried off

by eager Lochinvars, and of those still unannexed each may revel in a score of suitors and in engagements multifold for week-ends when the rush of masculinity to avoid Sabbath ennui is thickest. All that is based, to be sure, on some link of acquaintanceship however frail. How about the newcomers, ever evident and increasing in number, young men who have no girl acquaintances, young girls who have met socially no men? Nothing left but the medium of the streets —and that is the pity of it.

Another phase, this, of the housing question, in which Akron is doing her best, even specifically for these young members of her citizen household. Of all the agencies working for young men the most conspicuous is the "Y". It has been stated that in its lobbies 3,000 men of Akron's industrial world gather daily, a human mixture of varied nationality eager to share the unfailing "Y" courtesy. These are not only newcomers but visitors of long standing to whom the

counters, lobby, the swimming pool, are dear familiar places. These last are part of the "Y" assets, jolly chaps who do their bit to help the homesick and the lonely into better moods. No saner spot can be recommended to the stranger youth than the "Y"; rarely does the one in quest of a congenial chat or a cheerful companion miss finding his heart's desire in that homelike spot. The only trouble with the "Y" is that there is not enough of it to go around—as often happens with good things in very large families.

The housing of girls presents, as in all towns, more facets of difficulty. The mainspring of trouble, however, is easily found —no place in which to entertain men friends. So out again on the street for that. The "Y. W" does magnificently for its limits; other homes organized by the large factories show fine conditions; Father Dowed's Martha is another example of what Akron's far-sighted, big-hearted citizens, lay and

cleric, are trying to do for the working girl within their gates. Yet all these efforts are inadequate to solve the problem how to supply clean, healthy, suitable recreation for these young people, guests of Akron, guests from many lands, guests of every condition. It matters not that at first their only attachment for the city may be based on the same reason for which Stevenson's child loves the friendly cow:

"She gives me cream with all her might
To eat with apple tart."

If she treats them in right motherly fashion, they will soon be devoted children, albeit originally children by adoption. An enormous "If," perhaps, but the promise and power of Akron has no limit and can surmount any "If."

How royally she is employing that power has been shown by many instances, but perhaps it is most nobly attested by the helping hand she holds out to assist her foreign sons

and daughters to a place among Americans. Instruction in Americanization is offered continually in her factories, in her public schools, in her Municipal University, as in other cities, but Akron has done more than that. In September, 1919, under the joint auspices of the University and the Board of Education, an American Institute was organized, providing for meetings at the University nightly from 7 till 10 o'clock. The course given is based on the soundest psychological principles and emphasizes the manner of approach and procedure in teaching civics to the foreign-born. Its aim is to create b e t w e e n the Americanization teacher and the foreign-born student the bond of sympathy which is the vital factor in their assimilation. Every citizen of Akron is urged to attend this Institute and contribute his share to this great work.

With evidence of such quickening efforts before his eyes, no one can question that Akron is contributing mightily to that civic

millennium pictured by one who was himself a great American:

"We must have in this country but one flag, the American flag; only one language, the English language, the language of the Declaration of Independence, Washington's Farewell Address, Lincoln's Gettysburg Speech and the second Inaugural, and but one loyalty, that to the United States."

JUDGE VAUGHAN SURROUNDED BY FR

IENDS AND ASSISTANTS OF HIS COURT

CHAPTER II
THE COURT

WE HAVE seen the Akron crowds on the streets on holidays, on Saturday afternoon and evening. The aftermath of that holiday is only too frequently found in Police Court on Monday morning. It is then that one who knows the tale, is reminded of Judge Pease and his teasing comment on the name of the new city back in the old days when Akron, then but an infant in swaddling bands, was fresh from christening. "Ach-e-ron?" queried Judge Pease, no mean classical scholar himself, punning on the name to General Perkins, as the latter proudly proclaimed the Hellenic epithet, "Good! a river in Hades, isn't it?" A visitor to the Police Court on these Black Mondays might well credit Judge Pease with the gift of prophecy.

In any Police Court, naturally, one comes upon the hopeless, dingy things of life, the sights and tales that make one wretched. Even in the court of literature or of the stage this is true. Which of us who ever saw Galesworthy's "Silver Box" or "Justice" did not wipe away a surreptitious tear? "Human troubles touch the heart;" albeit, even here, the scribes are often furnished thereby with the facetious paragraph. We are safe in asserting that the record in Akron on such days can hardly be duplicated elsewhere, for there is no city in the land whose court draws its subjects from so varied a population. Even he who, like the observant Ulysses, "has traveled in his time, beheld men and cities, made acquaintance with East and West," may find food for observation here.

Those who have read our first chapter can feel no surprise at these statements, for, are the conditions depicted there the ones to produce—to use the terminology of

the sociologist—"security, health, knowledge, righteousness, sociability, communion with God?"—characteristics which ought to abolish Police Courts in any land. Verily, the housing of the unskilled wage earner is America's next problem. If Akron afforded the same opportunities for living as those offered for working, what a different tale would the Police record tell! As it is, the story is a sorry one. The list of offenders before the law, in emulation of Big Business and Fine Finance, of Banking and Booming, has maintained a heartbreaking increase. Resorting again to the matter of fact statistics, we find that in 1889 the number of arrests were 1,580; in 1903, 1,890; not an alarming leap there, but in 1913, 5,414 offenders listed from 33 different nationalities appeared before the court; consulting the record of 1918, in April alone we find 673, in the first six months of the same year 6,328. Even taking into consideration the proportionally increased popula-

tion, we cannot but infer that the law-abiding quality of the inhabitants has not developed in direct proportion to their numbers.

As for the offenses, they run the usual gamut, altho the judge, if he be philosophically and poetically inclined, may characterize a large majority of these who confront him on these Monday mornings with William Vaughan Moody's lines:

"That last product of the toiling ages,
Goal of heroic feet that never flagged,
A little man in trousers, slightly jagged."

As the list rolls on, one must admit the entrance of another class, from what Mr. Dooley, "strange compound of Solon and Saloon," calls "the homes of luxury and alimony," offenders whose misdemeanors run largely to speeding, to failure to observe traffic laws—the old proverb of mounting beggars applies equally to any means of transportation—easily punishable by a blow to the pocketbook, not making much de-

mand on the qualities which ought to characterize the Police Bench.

What are those qualities? The Court, of course is Society's Bulwark, and, speaking literally and coldly, the business of the Judge is to apply the Common Law. Unfortunately, however, American Common Law having its root and most of its branches in Colonial days, presupposes a homogeneous population, a population that respects rights, that is eager to maintain law and order, that has knowledge of and is in sympathy with the institutions of republican government—in short, an American rural community of a century ago. Is it possible to apply that law coldly and strictly to a polygenic, polychrome, polyglot population, gathered from the ends of the earth, refugees from every form of government, ignorant, and untrained in self-guidance? Under such conditions the judge cannot be a mere interpreter of statutes; he must be, rather, the wise physician, the all-round practitioner—a

hard-headed legal Dr. Lavendar, or juridical type of that omniscient MacLure, who, "in Drumtochty could aye tell what was wrang wi' a body, an' maistly put ye richt." His should not be the puritanical temperament biased by politics, nor the hazy, sentimental soul, but a clear, practical spirit, with wisdom made warm by a throbbing human heart. George Bernard Shaw says that a judge should always be young—it is not necessary to insist on that, but he should still retain one of the characteristics of youth, a bit of imagination. This joined to common sense and a kind heart, will take him a long way in solving the human problems before him. "I never cared much for books," said an old woman who was assisting a scholarly gentleman to pack up his library, "but then I never learned to read; perhaps that may have something to do with it." The judge who has learned to read the book of human nature, will find the living documents of the Police Court interesting reading.

It was not long ago that such doctrine as the above was legal heresy of Cimmerian hue. The usual view prevailing in pre-sociological days before Tom Osborne preached the gospel of commonsense redemption, was arrest, convict, confine—a process tending, as a clever English lady once said to that same Tom Osborne, "to produce good prisoners." Thanks to the efforts of Osborne and others endowed with wide views and big hearts, the better courts and wardens are now trying to make good citizens. The sane and humane judge considers not so much the crime as the criminal. He takes the stand of the social worker, regarding not only the law broken by the offender, but why he broke it, how he can be prevented from doing it again, prevented not for a short period by bars and bolts, but lastingly prevented by his own restoration and reconstruction. The judge must learn the relation of the offender to his family, his relation to his employers, the varied causes

tugging at him, that brought him into the grim clutches of the law. After that, the bit of imagination, the vision that gives the offender a chance for reconstruction never comes by merely looking backward. However blotted the past, every man has an unsoiled future, if someone can make him see it. No one need despair of finding his better self with a little help. As Mrs. Wiggs said, "There ain't no hole so deep can't somebody pull you out."

All this is merely in trend with human history. Mankind is ever advancing; man's progress, however delayed, is continuous, and, like Hesiod's hill of Virtue, it grows easier as one mounts. Nowhere is this illustrated more clearly than in the Law, though devised to help the weak, suffered the usual check, became a weapon against them, a collection of fixed rules, a science complete and separate from humanity, not connected with other sciences nor even with justice. It was indeed a long cry from "jus"

to "lex." To doubt the majesty or perfection of the legal dogma was crime in itself. The law might have been compared to Procrustes, that very disagreeable giant of Greek mythology who fitted all trespassers on his ground into his iron bed, stretching them out if too short, if too long, cramming them into it or mulcting of limbs to the desired proportions. So Law, which should have remained a plastic thing, suited to men's needs, hardened into adamant. But as Theseus came of old to Procrustes, so came the reformer to the law. Justice, made useless and close to sorry farce by crystallization of dogma and method, is becoming fluid again, fitting itself to world conditions. Even the Supreme Court in these latter days has shown more interest in promoting human welfare than in the preservation of the status quo of legal organization. With the heart of the world touched more deeply than ever before by our great common grief, with Hope reincarnate through the triumph

of what seems the juster cause, with a prevailing sentiment for better things, all social reconstruction should satisfy these longings, making the world a better place to live in, and better people to live in it.

No more fitting place to carry out this program than the Police courts. Of the four kinds of punishment usually adopted, the punitive and deterrent have proved futile, save in the case of the minority for after all it is the few who are either involuntarily bad because of incurable mental and physical deformity, or voluntarily so by clever conscious villainy. These are the subnormal, and the abnormal, to be dealt with in youth by the Child Welfare society and later by the psychiatrist.

It is not with the abnormal nor the subnormal, however, that the Police Bench largely deals. The many, the common class in the Police Court, a great body of offenders, are passive playthings of environment, limited in stimuli and initiative, sometimes

spoiled children of civilization, more frequently broken reeds caught up and crushed by the slowly grinding mill of circumstances, sometimes mere ordinary redblooded, foolish, wellmeaning creatures—the product or the by-product of the ages. Very frequently ignorance is at the root of the offense, especially in the case of the adult immigrant, into whom the traditional tweedle-dum and tweedle-dee of his own land has been beaten so unrelentingly that he is incapable of replacing them by American regulations. The foreign married woman, who usually leads a retired life on coming to America and is thus shut off from avenues of outside information, is frequently a lawbreaker because of this ignorance. Such was the case of a Rumanian woman, haled into a New York court as a persistent offender in casting ashes into the street. The law in Roumania required that all ashes be so disposed of, and in her zeal to please the government of her adoption the poor woman had carried it out

with the utmost vigor. It is ignorance also that is at the root of most domestic troubles, culminating in blows and the summoning of the police. Mere instruction, of course, is required in such cases, and for most of the others a reformative and preventive program is needed—reformative leading to preventive, if not to "remould this sorry scheme of things entire," as Omar observed, at least to better it. "Can't none of us,"—to quote a more homely philosopher, Mrs. Wiggs again—"Can't none of us help what we set out in life with but we kin help what we end up with." Could readjustment and rehabilitation be more neatly explained?

Betterment, then, not mere punishment, is the aim in the new sociology of crime—and to attain this aim the most powerful agency is work—work and liberty. Many calories of moral value in that combination—work and liberty. Did not Gladstone say, "It is liberty alone that fits men for liberty?" And what greater liberty can a man have

than to be master of himself, captain of his own soul? Prison walls can never make him *that,* but work under conditions of freedom has made and can make many a victim of his own weaknesses and untoward circumstances into a new man.

Of these two agencies the first, work, is in Akron easily provided; but liberty, how provide it, how insure it to the weaklings thrown by the buffetings of chance under the wheels of justice? What better answer than Parole and Probation, the latter, a process of educational guidance through friendly supervision; the former furnishing self-dependence, giving a man a chance to prove himself worthy of full reinstatement in his place in the world, offering a taste of liberty before he has completely l o s t courage, strength and confidence? Probation and Parole are neither idealistic nor visionary; they are living practicable schemes with tangible results. One item of proof is sufficient: 2,124 probationers entered the war as act-

ive participants in our army, *and made good*, proving that even under a not particularly rich coat of citizenship lurked the hero and the idealist. The Good Shepherd rejoiced more over one lost sheep recovered than over the righteous ninety-nine who never strayed: may not that 2,124 be considered the lost one-hundredth submerged before redemption in the criminal class? Yet let us not be misunderstood. Even the most optimistic conceive no cure-all for crime. The most ardent advocates of Parole and Probation do not promise to usher in a millennium; even if the system were perfect, it must be administered by men with human frailties, and mistakes of judgment are inevitable, but at least it is a move in the right direction.

Seats for scribes and Barristers
Scene in Judge Vaughan's court room — any day —
Rosenberg
Interpreter William Marlot
Bailiff Martin Harris — he knows 'em all
Acting Judge Pardee Plays his act well —
Clerk William Balthes Collects the Fines
Judge John R. Vaughan.
Police Court.
"Boy" Before the Bar
His nibs Durkin, the Chief of Police
Pat Poppano — Well known Sleuth
Sleuth Eckerman
Prosecutor Gordon Davies.

CHAPTER III
THE JUDGE

TO the doctrines of Probation and Parole the writer heartily subscribes. One of his principles while standing for election was that the purpose of courts is to raise men up, not to drag them down; and to that principle he stands fast after eight years on the Police Bench.

Never has Police Judge had a more extensive or more difficult field in which to test his theories than is to be found in this strange cosmopolitan city of the Middle West. It must be noted also that the greater part of his administration of the Police Bench—the last six years, to speak exactly—was carried on during the brutalizing influences of war. The results have been such a triumph for the principles that at the close of his term in 1920 he was as firmly convinced of the value of Probation and Parole as

when he assumed the office in 1912. By a curious coincidence he is the only Police Judge in Akron's annals. Before him the Mayor conducted the Police Court; the work is now to be divided among three municipal judges. His court, therefore, is unique in the city records.

It is unique in other respects. The best test of any achievement is still the "biggin' o't." During my tenure of office, the steady and successful application of my theories, my definite interpretation of the parole idea, and certain innovations in the conduct of the Probation system and by possibly the personal part played therein, often called the attention of those interesed in the progress of social reform. Let me remind my readers here of the fact that the world at large is interested to a lively degree in any such movement, as is attested by the widespread recognition of any attempt in that direction. In fact, the public is usually ahead in the game

of Progress; it is officialdom to which it does not get over.

Perhaps we can best get a general view by quoting the report of an investigating journalist. Attracted to the Akron Police Court by rumors of the original methods there employed, he was so impressed by its actual workings during his visit that he made it the topic of a leading editorial in his paper, the *Dayton Sunday News*.

"The Prisoner at the Bar

"Akron has a police judge endowed with "a bountiful supply of sympathy and com- "mon sense. He is a firm believer that it "pays the municipality better dividends to "have a man at work than to have him in "the workhouse. Judge John R. Vaughan "is the type of man who has aided his fel- "lows in much the same way that Judge Wil- "liam Budroe of Dayton has done.

" 'Men,' he says, 'are of no service to a

"community when they are imprisoned. It "may be necessary, quite frequently it is, to "put dangerous people back of the bars and "keep them there, but the average prisoner "who comes into the city's police court, and "especially the man who comes before the "police judge for the first time, has no busi- "ness landing in the workhouse.

" 'The average chap has a good heart. "He means to do the right thing. The thing "that gets men into trouble and before the "police judge is negligence.'

"One gains the impression from talking to "Judge Vaughan that he is tenderhearted. "After you have learned something about "him and his work, you want to know more "about him. He always emphasizes this "fact: men are better off at work than they "are at the 'works.' "

Your average city prisoner in the days gone by came before the police judge on a "drunk" charge. The law seized him by the

collar and put him back of the bars "to sober up"—as it was said. His family had to suffer while he was imprisoned and perhaps for several days afterwards, because the man came out of his stupor, unfit either for work or domestic usefulness around the house. He cost the city a tidy sum for maintenance during his incarceration, and nine times out of ten the prison or workhouse further added to his general blackened outlook on life.

There is a good spot in every man, and it becomes the duty of the law to search around until it finds this spark of manhood which properly connected will furnish the fire for serviceable endeavor in a community.

The law has changed in the last ten years. It has become more human in its attitude toward the prisoner at the bar. It has learned to look upon him as an unfortunate, not a degenerate. It has learned to help, not hinder, human progress.

The workhouse or jail or any other penal

institution never helped men to become better. We must continue to operate such places I suppose, because our advanced and boasted civilization has never yet discovered a better way of handling broken men. The future problem is to bind up these broken parts of humanity and put them together, carefully and with genuine sympathy.

Most people in Akron who are entitled to speak on the subject, as well as ten thousand probationers, will support this verdict.

It is worth while to note some of the methods and devices by which we have contrived to find the "better way" of handling broken men. Here is a wide field of endeavor: it is well known that the methodology of probation—however widely the principle be accepted—it still in the experimental stage; it is the building up of effective technique that counts. Much of that technique is still to seek.

In the first place, the writer has an invincible faith in the influence of symbol

and environment. One of his first acts in office was to place in the court room life sized portraits of Washington and Lincoln, draped with the National colors and surmounted by a large framed copy of the Declaration of Independence. He believed that these pictures and emblems placed directly over the Judge's bench would be a source of civic uplift to offenders brought hither, and would help to bring to them a realization of the duties of citizenship. This gift was dedicated with impressive ceremonies attended by the Mayor, all city officials and distinguished members of the bar. The prisoners of the day were admitted to this audience, to whom addresses by prominent Akronites sounded the note of patriotism and better citizenship. Other courts have followed the example thus given of setting up the visible emblems to appeal to righteous living and love of country. Flowers, too, have been utilized in abundance in Akron's Court, making of it a very different place

from the cheerless, ill ventilated, ugly room where, under a Justice Shallow, the ignorant and vicious proletariat used to get "theirs." Mere outward conditions these, but of enormous practical importance.

Another salutary influence in which Judge Vaughan believes, is that of the Church. He made it one of the first conditions of probation that the probationer should attend religious services once a week whether that service be Catholic, Methodist, High Episcopal or Salvation Army, and each probationer's report must include such attendance. One should say in passing that the enforcement of this clause caused such markedly increased attendance in some Akron churches that some good and regular brethren and sisters were disturbed at the resulting congestion; the Judge, to his astonishment, even became the text for a complimentary sermon. In the application of this theory he has been persistent. In the weekly reports required of each probationer the item of church

attendance could never be glossed over. A motley collection of these reports, sometimes mere scrawls on a scrap of paper or a card, sometimes lengthy effusions of Spencerian legibility on well chosen stationery, but all containing the information about church-going. Frequently the Judge's card was given to the churchgoer on parole to be handed over to the officiating clergyman, who signed it and mailed it to the Judge as proof that the promise had been fulfilled. Witness the following:

Akron, March 11, 1917.

My dear Mr. Vaughan:—

I enclose a card handed me at the close of the church service held this afternoon in the mission of the 1st Presbyterian Church of this city. It is evidence that Mr.——— was present at that service, which I conducted in the absence of the Rev. W. L. McCormick. I was asked by

Mr. and Mrs.————to send it to you—as you had requested. I believe Mr.——— is on probation.

Sincerely,
Rev. Archibald McClure.

It is to be inferred that the veracity of Mr.————and his ilk was also on probation. The Judge took no chances.

"How long since you fellows have written home? Do you ever send money to your parents?"

These are two of the Judge's stock questions, proving that he believes profoundly in the influence of "home and mother." Incidentally it may be stated that half the daily Police docket is made up of "floaters;" nearly all "repeaters" are of that stripe. Prisoners who had to acknowledge failure in living up to these natural obligations received kindly but firm suggestions for future reports if put on probation, while the lucky one who could attest his fidelity to home ties

often won immediate dismissal. John Johnson and Emmett Taylor, colored brethren, arrested for disorderly conduct, had this pleasant experience.

"Well, Jedge," said Johnson, "I ain't got no folks, but I'se got a gran'ma and I sends huh money regulahly."

"I'se got a gran'ma, too," chimed in Taylor. "I done sent huh twenty-five plunks outa' mah las' pay envelope."

"Case is dismissed," said the judge: "The boy who sends grandma money regularly may make a little noise once in a while, provided the once in a while does not occur too frequently."

That "Satan finds some mischief still for idle hands to do," is another of the Judge's tenets, and he therefore schemes to subvert Old Nick's plans by providing work for every parole and probation man. Nothing easier than to find employment in Akron; indeed the "Mystery Man" is he who can evade it. The big rubber plants alone will

absorb in octopus fashion any quota of men suited to their work, while to those not measuring up to their requirements jobs by the score beckon from other sources. Contractors, employment agencies, private homes are calling impatiently and incessantly for help. By keeping in touch with these agencies work could be promised to any man brought to the bar with the absolute certainty of carrying out the promise. Compare this practical coordination of probation and parole with daily usefulness, to the questionable, nay paradoxical plan of keeping a man in jail while his wife and children are starving at home or subsisting miserably on charity. The difference can hardly be measured in dollars and cents, but the tremendous saving to the city even in the matter of feeding is not to be neglected in estimating it.

This guaranteeing of employment is the same method as that used in other courts where parole and probation are adopted, but how many judges, not to mention probation

officers, have put the method through the third degree.

Hear the following story. One of the employees of a certain large rubber plant was brought in for drunkenness, disorder, neglect of family—in short, general cussedness. Getting in touch with the foreman of the department in which the man had worked, it was discovered that he had been considered a good worker, but for some months had been falling down on his job and had finally been dropped from the roll.

"Will you take him back if I can stiffen him up?" asked the Judge.

"Sure thing," was the hearty reply.

The next step was to get a peep into the domestic atmosphere; rather unfavorable, this—wife discontented and slatternly, children unkempt and troublesome, five of them; husband surly and inclined to fault-finding.

"Can your wife cook well?" asked the Judge.

"She can, but she doesn't most of the time," was the reply.

"Well," said the Judge, "I'll take a chance on you. Go back to the factory tomorrow—they'll take you on again; I've seen to that."

The man shambled off gratefully enough but by no means cheerful. The Judge called up the foreman again and arranged that the reinstated worker should have a shift that would send him home for dinner at noon. In a day or two, who should appear at the door of that home but the Judge, punctually at noon. The husband had not yet arrived and the children were just returning from school.

To the frowsy woman who came to the door the Judge said pleasantly, "I am Judge Vaughan; I have come to take dinner with you."

"But there isn't anything fit for you to eat," stammered the astounded housewife.

"What, isn't your husband coming home

for dinner? My wife always says that what's good enough for me is good enough for any man. Haven't you food enough in the house?"

"O, yes, but I hain't had no time to cook it."

"Well, cook it now, then. I'm in no hurry;" and the Judge, by nature blest with a large composure, seated himself placidly in the least filthy chair.

By this time the husband and the children had arrived and stood staring in stupid bewilderment and dismay at this uninvited but persistent guest. Further apologies and excuses made no impression. The intruder had his answer for everyone: No, the man need not be back at the factory on time, that had been arranged. No, it did not matter if the children were late at school. A card to excuse the tardiness would be marked. In fact, they need not go at all; the visitor's pocket had passes for the movies. By this time the youngsters were thoroughly on his

side, and even the disgruntled and disheartened parents began to reconcile themselves to the situation.

Well, to cut the tale short, the children were too late to do anything but avail themselves of the passes, with the addition of a card to their teacher excusing their absence for the afternoon; the rubber worker's tardy arrival at his post passed without notice, and, as the Judge put it, "I didn't have such a bad meal, at that." When he left he invited himself to come again soon, adding that the dinner must be ready promptly next time, and that whatever was good enough for the family would suit him. He kept his word, coming often enough to make a good dinner in that home the rule, and the home itself a decent, tidy place, presided over by a decent, tidy woman. The subsequent record of the man justified the trouble taken. Each report from the foreman showed increased efficiency, culminating in a fifty per cent increase in wages at

the end of six months. And this is but one of the many cases which might be cited.

In connection with the question of supplying the needy with employment, a simple device should be mentioned. The Judge had official cards printed by the thousands; the following is a sample:

BELL PHONE, MAIN 1720 PEOPLES PHONE 2413

JOHN R. VAUGHAN

POLICE JUDGE AKRON, OHIO

These were distributed to every householder in Akron with the request that, should any stray person apply at that door for help or work, the householder should not comply with the request but, inscribing his name on the card, send the person applying to

Judge Vaughan, who would attend to the case. This plan worked so smoothly and successfully that the tramp nuisance soon ceased in Akron. Those really up against the world took the card to the Court; the fakers threw it away but learned to apply no more in a city where so unpleasing a system was in force. Thus was the vagrancy evil, a fundamental social problem, solved for Akron.

A pledge to quit drinking is one of the regular items of the parole promise. Needless to say, devotion at the shrine of John Barleycorn was—we may now use the preterite speaking of J. B.—one of the commonest reasons for police court prisoners being within its precincts. Nearly every communication from a probationer, mentions abstinence from the use of liquor as an obligation fulfilled, altho a few may add, "but I never was no friend to booze."

Probation and Parole hinges then on very simple, elementary principles. Let us re-

capitulate: home, church, country, the rules of clean living—even saints have no better. If the meanest of us hitches his wagon to a star, it will lift us a bit on our upward climb. Granted that some of those on parole found it easy to slip from the way, to evade the promises, there were enough of the other kind to prove that the "biggin'" was good.

Perhaps a probationer's letter will be of interest here, containing as it does the personal note:

———Ohio, May 4, 1919.

Mr. John R. Vaughan,
Police Judge, Akron, Ohio.

Dear Sir:—

When being released by you on April 8th, 1919, I promised you that I would go to church for the next four Sundays and also not to take a drink during that time. I feel proud to say I have kept my promise. Also to say that drink is no

friend of mine or never was. As for going to church I went but was never a regular. But believe I shall do better after this, as my short visit with you was a very good lesson to me and altho only two days it seemed a week. I never had such an experience before and sincerely hope it never comes to me again. I left Akron shortly after and came home, which is plenty good enough for me. Having promised also to write I hope this comes up to your expectations and sincerely hope you are well. Would be pleased to hear from you.

Yours respectfully,

C. H.

The following letter from the Woman's Council will show what Akron women think of the methods employed in their Police Court:

To the Honorable
J. R. Vaughan,
Police Judge of Akron.

Dear Sir: —

The Woman's Council of Akron at its last regular meeting passed the following resolution:

Resolved: That the Woman's Council most heartily commends the attitude of Police Judge J. R. Vaughan toward offenders of the law and his employment of humane methods whereby under a probation officer the penalty of the law may be suspended during good behavior.

Yours for a better Akron,
The Woman's Council.
Mrs. O. L. Sadler,
Cor. Sec.

That approbation of Judge Vaughan's individual handling of cases was not confined to his own city, is attested by the following

paragraph from the Ohio State Journal, of Columbus:

Police Judge Vaughan of Akron Attracts State-Wide Attention

"A young Akron man, married only six months, stole his uncle's automobile and took a joy ride to Cleveland. He was arrested for the act and in court told the judge that he hadn't let his wife know of his arrest, for which omission the judge reprimanded him, telling him he should always tell his wife of his trouble, which is the habit of good husbands. The man was found guilty, and instead of the usual $50.00 fine and four months in prison the judge sentenced the man to quit smoking cigarettes, keep out of saloons and attend church regularly. That was a sensible judgment. That will keep any man out of trouble. And it will make a happier man out of anyone, and make him think more of his wife, for it contains the

very good conditions of love of wife and home. The judge's head had more wisdom in it than the whole 'Revised Statutes' has."

The secret of it all was that the judge tried to understand the people brought before him. What more is necessary? The Sentimental Bloke puts it well, when he says in Doreen:

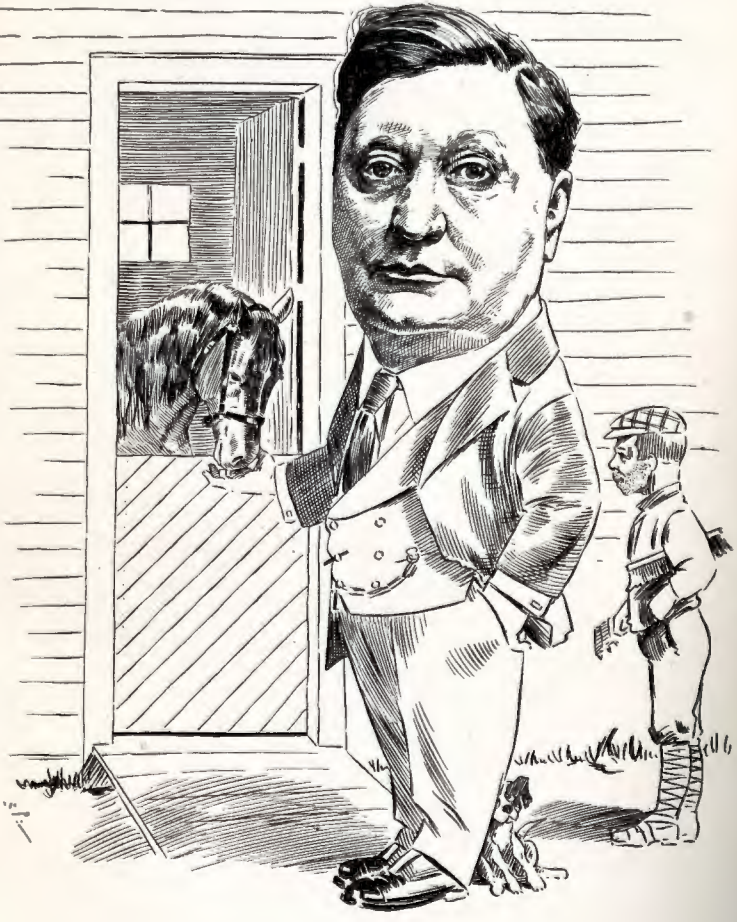
"Ar, if a bloke wus only understood!
'E's got a'eart:
'E's got a 'eart:
But wot's the use, when 'Eaven's crool'd
'is pitch?"

One must not, however, think of Judge Vaughan as purely and simply the big-hearted, kindly philanthropist; that side is for the first offender, the weakling, the unfortunate, the one more sinned against than sinning. Offenders of a different stripe found a different man, a representative of justice frowning with all the severity and majesty

of the law. The intoxicated joy-rider paid the limit in fines, often forfeiting to boot the right to drive for months. The wretch who robbed a blind paper vender—"the meanest creature in the world," as the Judge put it—felt the lightning bolt of justice together with the sharp edge of the Court's tongue. Hardened "repeaters" got the full "wallop" of the law. The impostor could put over no "sob-stuff."

Those afflicted with what Christopher Morley calls "Workophobia and fatty degeneration of callous marks on hands" had their cases diagnosed by personal examination of the uncalloused paws, and the right medicine prescribed. Wife beaters came in for blows straight from the shoulder; generous fines and rousing invective caused that class of offenders to stand well in awe of the Police Court. Of his strong policy with vagrants we have already spoken. He proved his mettle in 1913, one of the early years of his office, during the great strike of

the rubber workers, convincing all law abiding citizens that all disturbers of the peace and inciters to riot would be dealt with fearlessly as long as he occupied the Bench. Letter after letter poured into the Judge's office, attesting the appreciative gratitude of the same citizen toward an official so calmly doing his duty.



CHAPTER IV
A CHAPTER OF ANECDOTES

LAUGHTER is a sweet and precious thing per se. A good story is its own passport, easily winning its way to all classes of men. Especially, however, do the priest, the doctor, the lawyer—what human experience or secret lies beyond the ken of these three?—enjoy a good story, and none does each relish better than those told at the expense of his own order. Their best tales are always of this kind. None other is so piquant to their palates. In this field, of course, it is easily "Hats off!" to the Irish clergy. Coming from their lips, invested with all the pure essence of whimsicality and native wit inherent in the Celt, these tales are irresistible; divested of these charming accessories, they are still gems of humor.

Who could forget, for instance, that delicious bit that one Archbishop delighted in telling? It is of an old parish priest on whom his young curates were ever playing tricks, rarely, however, without receiving a Roland for their Oliver. One morning when the three had met at the breakfast table, one of the young priests opened the morning paper, glanced down the sheet and then, with an exclamation of horrified amazement, handed it over to his fellow curate.

"What is it, boys?" asked the old priest with affectionate interest.

"Well, it seems incredible, but the paper reports that the Holy Father is going to remove the discipline which prevents priests from marrying."

The two young rascals waited for an explosion, but the wise old priest said very slowly, "Musha, the devil bother him! Why didn't he do it fifty years ago?" He had scored again.

Sometimes this delightful waggery reflects

its fun on the teller of the tale. Here is a charmingly droll story told by an old priest on himself. He and a certain Protestant Rector had become intimate friends, exchanging frequent calls. On one of these occasions, when the rector was visiting the father, a most violent storm broke upon the locality and forced the rector to spend the night at the house of the old priest and, incidentally, to share his bed. On retiring for the night the good old men knelt down, each on his respective side, to perform their devotions. The father, having finished his prayer raised his head, only to find that of his vis-a-vis still bent in worship. Not to be outdone in his line by a religious protagonist, the reverend father returned with zeal to his office. But this happened again and again. Each time he lifted his eyes, he beheld his protestant friend continuing in his attitude of prayer. Each time, determined not to be outprayed by a "black protestant," he resumed his devotions. Well advanced

was the night when the rector, raising his head and rubbing his eyes, said apologetically, "Dear me! I am afraid that I took a nap."

The old priest in telling the story commented as follows: "The devil fly away with him! Me stiff on my knees until two o'clock in the morning, that he might have his beauty sleep!"

For both the above stories we are indebted to Katherine Tynan, who relates them in her "Years of the shadow." Another that she tells applies neatly to the politician. The Dublin newsboy, the sharpest gamin in the world, always sizes up a would-be customer before offering his wares. To a Conservative he serves up the *Evening Mail;* to a Party man, the *Evening Telegram;* to a Liberal or Free Lance, the *Evening Herald.* Asked his political leaning by a customer hard to catalogue, one of these newsboys displayed in his answer a caution more Caledonian than Hibernian. "I'm whatever

gets me me tay," said he. Could any of our own Presidential candidates trim more cannily?

Another good story, now well known, we owe to a brilliant young ecclesiastic of Akron; the source from which he obtained it is unknown. A Knight of Columbus, one of our young volunteers, was fighting at the Front, while next to him in line stood a pious Moslem. During a terrific bombardment he heard his Mohammedan comrade call aloud in an unknown tongue, the only words of which he could distinguish were, "Allah, Allah!" He himself made his humble supplication to his own God of Battles. The storm of shrapnel and shell continued and the American could not help noticing that more missiles fell his way than that of his fellow soldier. This produced a nervousness that in its turn caused him to chime in after the next appeal to Allah with a l'envoi: "You know me, too, Al!"

The last story, it goes without saying, could have originated in no field of humor but the American, unique in itself, but the sense of humor wherever it be found is a blessed quality and may discover material in anything. There are depths of profundity even in a jest, and no tale is so grave that some sparkle of humor may not gleam from it. The learned Whipple said, "Wherever you find humor, there is pathos." The reverse might be considered equally true. Luckily for mankind the grave and the comic lie side by side in all departments of life. The tragedies and comedies of the Police Court are ventilated so frequently on the press that the casual reader gets the impression of a vaudeville performance rather than that of a legal session. A chance visit to the Police Court or to the Court of Domestic Relations would simply confirm this impression. Despite your sympathy with the troubles of these representatives of humanity's piteous ones, you cannot help

laughing at their absurd dilemmas and ridiculous interpretations of one another. Well for the Court—we speak of the representative of Law—that this is so. These are the alleviations of the Bench.

Judge Vaughan, holding by heredity a vested right to that golden sparkle lurking in the Celt, appreciates every touch of humor to the full; his jolly lips are the first to curve in a smile over any amusing situation. Many a Syrian day of summer or old-fashioned Winter's morning in Akron Police Court has been refreshed or brightened by this desirable quality. Banal offences often give a chance for its application. When Ransom Williams, colored, accused of shootin' craps, confessed to being twenty-two but declared that he didn't know a thing about craps—"Fade me" was to him a Hellenism —the judge suggested that Williams be given a place in the Hall of Fame as the first of his race to attain so ripe an age in ignorance of African golf.

That, of course is one of the judge's own, but he appreciates highly those emanating from any source. One of his favorites is that of the descendant of Shem, who in confab with his lawyer proposed, as one means of gaining his case, to send the presiding judge a box of cigars.

"O no!" hastily interrupted his legal adviser. "That would be a very bad thing to do; it would prejudice His Honor against you."

"Iss that so?" said the client. After the trial was over and decided in favor of the Jewish gentleman, he said to his lawyer triumphantly, "I *did* send them cigars."

The disgusted lawyer expressed his amazement at so hazardous a procedure. "Ah," said the son of the Orient, "I put in the other feller's card."

Another favorite of Judge Vaughan's, and one arising from his own experience, is the story of the Benedict, who, having been locked up all night in the City jail, demand-

ed on his release in the morning a receipt from the judge in order to prove to his wife where he had spent the night. "I had to give it to the fellow," says the judge, "he was afraid to go home without it." No need to inquire who was head of that home. "Home is where the *wife* is."

The judge, who, like most sons of Adam, appreciates a good dinner, was once appealed to on that point so convincingly that the offender got off with the lightest of sentences. A man who had been arrested for speeding plead for release. "If I am late for supper, Judge, I have to go without. Last night, because I was pinched, I was late and I didn't get a bite. Don't you think I've been punished enough?"

"Indeed I do," said the Court feelingly.

"Heah's your two dollahs, Jedge," said George Brown, colored, entering the private room of the judge Friday afternoon. "Ah jest got mah pay and I toted this right ovah to you."

"What's it for?" asked the judge.

"Tha's a good job you all got foh me, and this is mah fee."

Judge Vaughan had to explain carefully that the Police Court did not happen to be an employment agency and that all its job finding was of a philanthropic character. George left, profoundly but pleasingly surprised. This is by no means an infrequent occurrence. Some officials might have taken offence, but Vaughan, with humor and human understanding, saw the good intentions of Brown and the amusing side to the situation.

Really unique is this story of another representative of the colored race, illustrating as it does their native love of display as well as their talent for imitation. The man in question was a well known offender, having been summoned before the Court time and again for drunkenness and other infractions of our law generally classed under the head of disorderly conduct. On one of

these occasions he noticed the use of an interpreter by prisoners of foreign origin. What was the astonishment of the judge after a few days, when the familiar figure of Sam was escorted before him, to find him answering only to the name of Guiseppi Bononi, refusing to utter a word of English and demanding an interpreter. Neither the judge nor any of the court officials, all of whom recognized an old acquaintance, could persuade him to admit identification. "Guiseppi" he was and "No So inglese."

The Judge entered into the humor of the situation and had an interpreter summoned. Sam played his part well, having evidently been coached in his adopted tongue for the occasion—played it well until, when the case had been settled, the $3.00 charge for an interpreter was added to his fine. The newly acquired Romance veneer could not cover his emotion; he relapsed into his native dialect. "O hell, Jedge, Ah didn't know them interprets cost anything!" All

the rest of that day the Court was observed chuckling from time to time, and thereafter, whenever Sam appeared in court, the offer of an interpreter's services was never omitted.

Still another tale of our colored brethren. An African gentleman whose countenance was a new one to the Judge appeared one day before him. While the facts were being presented the Judge perceived that the prisoner, whenever he caught the Judge's eye, made with his hand mysterious signs which yet seemed strangely familiar. So he riveted his gaze on the fellow; the sign repeated was identified; he was crossing himself. A late convert to the Church, knowing that Judge Vaughan was a devoted Romanist, he was using the newly learned symbol of his faith as a "high sign" of brotherhood, in order to obtain a light sentence.

There is a bromidic clamor from some sources that the age of chivalry is over, as well as a foolish wailing over the fact that

woman has triumphed over some of her past weaknesses and is no longer willing to put up with some of the masculine weaknesses still dear to the heart of less manly sons of Adam. Indeed, they don't have to do that "putting up with" stunt any longer.

"When the old-fashioned wife with her husband had strife,
'I'll go back to my mother,' she'd sob;
But the wife of today doesn't argue that way,
She says, 'I'll go back to my job.' "

But the old-fashioned wives could not be so easily classified. Of one who differed radically from the general species, Judge Vaughan had experience in his earlier days. An old couple in the vicinity of Akron, after many years of incompatibility, decided to procure a divorce. Vaughan, then a young attorney, was sent out to the little farm to get the particulars of the case. His sympathy, on arriving, was enlisted immediately by the frail, tiny old woman who confronted a six-foot, surly looking husband. Imagine

his amused amazement when, as the male litigant was about to state his side, the diminutive representative of the weaker sex, seizing a chair and brandishing it aloft as a lethal weapon, exclaimed ferociously, "Speak the truth, John Doe, or I'll brain ye where ye stand!"

The story of another old woman is too good to omit. We use the word "old" here without camouflage. A woman's age ceases to be a delicate point after one has passed the centennial birthday, as was the case with this old woman. Judge Vaughan, then on the Bench, was her legal adviser and was often summoned to her home to confer on matters of estate; she had been left a comfortable fortune by her husband lately deceased. On this particular occasion, when he called at her request he found her in deep anxiety over her troublesome children.

"The young bys is drinking all the time." —This was in ante-prohibition days—"My eldest, Aaron, if he had lived, would be a

help to me; he was always a good boy. But these young varmints is too much for me. You must help me control 'em, Jedge."

The "young varmints" were by that time sexagenarians, and the lamented Aaron, had he lived, would now have been eighty-five or so. When the Judge expressed doubt about controlling children long past their minority, the old mother gave an ultimatum:

"Then I'll leave 'em and go back to Texas to my folks. I haven't been there since 1847, or thereabout. They were havin' some trouble with Santy Anny when I came away, but I guess that's over by this time, ain't it, Jedge?" And this, my lords and gentlemen, happened in the year of grace 1917.

Now that the bars of poesy are down, thanks to that bold minx, the Muse of *vers libre,* any police judge may expect to figure as the legal Maecenas in the dedication of some anthology made up of poetic gems, of which the following, composed by one of

the involuntary occupants of Akron City Jail, may serve as a sample.

Akron City Prison

I led a wild life
I earnt all I spent
Paid all I borrowed
Lost all I lent.
I have a Wife
I loved her all my life
Get a good dog Chief
That will be your friend.
Earth to earth, dust to dust
Show me a woman a man can trust.
I have trusted one to my sorrow.
That is why I am with you
Today chief
And will be tomorrow.

The lines prove at least that the Muse—shall we think of her as Calliope or Erato or better, perhaps, as some strayed Menad who has mistaken Apollo for Bacchus?—

is no respecter of persons, nor confines her beneficent afflatus to Miss Amy Lowell and her ilk.

THE HOBO

A patch of green in the city streets; some trees and a bench or two,
And this is the Hobos' own domain, the spot that we love so true.

By glistening rails on the cindered track we tramp till our feet are sore,
And dream all day of the Hobos' Lot when the heat of the day is o'er.

To curl up snug on the bench and sleep when sometimes the grass is wet;
That long sweet sleep to a king denied, that the rich men seldom get.

We care no jot for the sneering men, and the scorn of the girls who pass;
We ease our blistered and aching feet in the cool of the young, new grass.

The iron bench, in the midnight hour is never so hard and cold
As hearts of men in the noonday sun, who laugh as our tale is told.

We live our lives, and the birds, the trees, the stars in
the big sky-land,
They seem to know what our lives are for—but men
do not understand.

But We know things that they never know; the secrets
of sky and sod,
And We are nearer to Mother Earth—that means we
are nearer God.

I love a genuine, gentleman Hobo; the kind that sometimes works, seldom begs, and never steals. I found one on the little square of land on Main street near the Y. M. C. A., the other evening. After we became acquainted, he recited some verses he had made himself, "The Love of Little Places." He was a Poet. The poem told of his passionate fondness for the "holes and corners" of the earth; how he loved the "sky-roofed places;" how the big cities made him small and the "little places" made him big. Tender, wonderful lines they seemed to me, and I begged him to give me a copy for the column. He only smiled and said, "Cui bono?" To what good?

CELLS

To him, whoever he is and wherever he is, I dedicate the above poem, and wish it were more typical of this seeker of the "little places."

ROUTS THE GRAFTERS

As a result of a general "cleaning out" of alleged grafters and grafting among Police court interpreters, by Police Judge John R. Vaughan, when he assumed the duties of his office, January 1, 1912, it is now believed that the practice of grafting in this phase of the city's official departments has been wiped out.

The "clean-out" came when Judge Vaughan learned that a clever system of graft was being worked among the interpreters employed by the city, when he was elected. He started an investigation, which resulted in sensational developments.

Judge Vaughan learned that the inter-

preters were using the foreign speaking prisoners as their victims, and that they were accumulating a fortune by their unscrupulous methods.

When a prisoner, who could not speak the English language, was arrested, it was necessary for the interpreter to explain the case to the court as it was told by the accused in his native tongue. No one besides the interpreter knew what the facts of the case were, and he had the opportunity of telling any story he pleased. As he told it in English, even the accused was not aware of what was being said.

Grasping such an open opportunity, the interpreter would go to the prisoner before the trial, and tell him he would misinterpret the case, and bring about the release of the accused for a certain sum of money. The ignorant foreigners, eager to be set free, would pay the required amount, and in this manner they were swindled out of hundreds

of dollars. Many prisoners on serious charges, who should have been severely punished, were given their freedom, because the interpreter forfeited his honor for the sake of money.

Although Judge Vaughan was unable to prove that such methods were being used, he was firmly convinced in his own mind that such was the case, and the interpreters were discharged. Occasionally friends of prisoners were allowed to interpret their cases, but Judge Vaughan has also abolished this.

The Police court interpreters at the present time are Joe Petras, a Slav, and William Marlot, an Italian. These men interpret all cases, and both are said to be square and upright. English speaking friends of foreign prisoners are allowed to be present, when cases are interpreted, and so far every interpretation has been made literally as it is spoken by the prisoner or witness.

"I'D RATHER HELP MEN TO BE HONEST THAN TO BE CROOKS AND JAILBIRDS"

Police Judge John R. Vaughan, and his friends who know of the qualities that have inspired his work on the bench, do not take kindly to the criticism that came from the police and prosecuting arm of the local government, the reflection of which was printed in the paper yesterday.

The immediate cause of the criticism was Judge Vaughan's ruling in the case of——, the man who early this week shot his wife.

He was brought before Judge Vaughan charged with intoxication. In his hearing no disclosure was made to the court that he harbored a murderous grudge against his wife. After the court had dealt with him, he went out and tried to kill his wife.

"Says He Can't Read the Hearts of Men.

'If I could read the hearts of the men who

Americanization Day In T

"Justice for American and alien under t

J. Petras
Capt. Taggart
Dr. B. F. Force
Mayor Rockwell
Judge Kohler
B. F. Buchtel
W. J. Wildes
M. Curtin
C. C. McCue

THE AKRON POLICE COURT

the Stars and Stripes"—*Judge Vaughan*

JOHN A. MOTZ
JUDGE AHERN
T. F. HEFFERMAN
R. P. BURNETT
U. G. FREDERICK
L. L. POE
SENATOR SIEBER
JUDGE VAUGHAN
CAPT. WALKER
T. H. PHELPS

stand before me,' said Judge Vaughan, "instead of dealing only with them as they stand charged upon the court's records, I should not want to be the police judge of Akron. If this insight were given me, I would be occupying a station exalted above all the rulers of the earth. I can only try to read the hearts of the unfortunates who come into my court. I do not believe in sending folks to jail for domestic quarrels or for minor offenses, but to make better citizens of them. If there is any hope of reclaiming them to better manhood and womanhood I believe in giving them a chance instead of using the machinery of the court to sink them deeper and deeper into despair and infamy. No man or woman comes into my court upon misdemeanor charges who cannot have the opportunity given to take honest employment, if he or she shows half a disposition to go that way, instead of taking a term in jail or prison, with the resulting disgrace this puts upon their lives. Sometimes the

court may be imposed upon by those unworthy, but these are the few exceptions to the rule."

"Has Done Much to Help Unfortunates.

"It would take a book to record all the things Judge Vaughan has done toward helping men and women compose their domestic differences. Often he has gone into their homes to get first-hand evidence of the cause of their unhappiness and discord, and the suggestions he has made to them, backed up by good common sense and the authority of the court, has resulted in their making up and settling down to a better life."

"Fifty men or women at honest employment in the factories are worth more to society than so many inmates of the penal workshops," Judge Vaughan believes, "yet it would be much easier for the court to impose the unbending sentence of the law in all cases than to give those accused a chance to reform, which all the added work of finding

out if they are worthy of leniency put upon the court. If anyone thinks otherwise I have yet to find them coming out in the open and saying so."

"In more particular reference to the article which reported the criticism of the police officials, Judge Vaughan said:

'I have given every statement which was published most thorough consideration, and now I have just this to say: I have been on the bench for just a trifle over a year, and I do not claim to know everything, but I feel I have handled every case to the best of my ability. I have had nothing but trouble since I have been here, but through it all I have tried to do my best.

'If the police officers or any other city officials have anyone who they believe can fill the position any better, I would be grateful to them to bring such a person around. When I see him I shall step down, give him my blessing, and perhaps take money out of my own pocket to increase his salary.

'When at any time I had anything to say to a police officer, Solicitor, or Prosecutor, I was always open enough to call them into court and say it. I never intended to have anyone tell me what I was going to do, but I listened to their suggestions. I am Police Judge, and that is what I expect to be.

'You may be sure that I believe in suspended sentences, and if I did not I would not be expending my own money visiting numerous other cities in the state to see how things are done there. The things I have aimed to do are those which will give every one a square deal.

'If I were to be called upon to make another disposition in the Stuhldreher case, with no further evidence than I then had at hand, I believe that I should dispose of the case just as I did. Stuhldreher was only charged with intoxication, and I could not send him to the pen for that. We have thousands of men charged with such offenses.

'There is no reason why an officer should

be humiliated after his prisoner has been dismissed or given a suspended sentence. After bringing a prisoner into court, and showing the facts of the case, an officer has done his duty, and he surely is not humiliated for this. If the officers do not care to attend to the duties that are expected of them, they should leave the police force.' "

Our little sheaf of stories, some of which, at least, cannot be traced to the "Spreading Chestnut Tree," is complete. Our work is done; we have said all that we have to say, and we bid our—we hope—not unkindly reader, "Goodby."

JUDGE JOHN R. VAUGHAN

Jottings of a Man About a Judge Whom the People Always Found to Be What They Had Always Thought Him to Be

By MARK L. FELBER

ANDREW CARNEGIE in 1909 wrote a book on "Problems of Today," and there appeared in the newspapers and magazines the most favorable comment on this work hot from the pen of the famous Napoleon of Industry. Mr. Carnegie dwelt on the great problems confronting the country, the problems as he saw them—labor, wealth and wages—and his words came with the authority of one who had traveled the road.

But above labor, wealth and wages there should have stood out in bold relief another great problem—the problem of HUMANITY. And now it is apropos to say that per-

haps no man in America today understands the great problem of HUMANITY, in all its phases, better than my good friend Judge John R. Vaughan, whose well-spent years as a jurist have given him an opportunity to read the very souls of unfortunate mortals—thousands of them—and instead of meting out injustice to them with the indiscriminate application of prison sentences he chose the humane method of reaching out his hands to lead them back into the light, knowing the real meaning of the phrase, "Man's inhumanity to man makes countless thousands mourn."

As editor of a daily newspaper in Akron nearly six years I was intensely interested in Judge Vaughan's court program, and it was a great pleasure to recognize that "Temple of Justice" as in reality a station on the road through life for many unfortunates—the turning point to bigger and brighter and better things.

There they fully understood the real

meaning of the Golden Rule—to make a solemn resolution to live more faithfully by that rule, that sublime principle of conduct for this world and all worlds, and to realize that failure to live by this law causes the chief sorrows and collisions among men.

Being permitted to read the manuscript of "Jottings of a Judge" just before it was turned over to the printer, I could see in every syllable, every word, every line—throughout the copy—the reflection of Judge Vaughan himself, who has done so much for men and women brought before the "bar of justice" by offering wise counsel which might be epitomized in five words: "Go and sin no more."

It was an old Roman custom to place statues and busts of heroes in the rooms of young children, to inspire them with lofty ideals. Today in America we find mottoes hanging on the walls to furnish inspiration. But busts and mottoes may be forgotten if in

each American home a copy of "Jottings of a Judge" is placed, for this work is an inspirational volume that will live long after its author has gone to his reward.

"Scatter your flowers as you go, for you'll never go over the road again" is one of Judge Vaughan's favorite sayings, while another he quotes runs something like this: "Happiness is the echo of the pleasant words we speak to others."

Judge Vaughan's advice to many a man in court was so wonderfully worded that it constituted a battlecry to inspire and encourage the unfortunate fellow in his conflict with society; to give him a new grip on himself in his determination toward a life of broad usefulness.

In this book, to which Judge Vaughan devoted many months in preparation, a glowing tribute is paid to Akron. And why not? We who have lived here for years love Akron and quite naturally we feel that it is

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the grandest city in the world today.

And in Akron the author of this book has seen the great drama of life played; the court building the stage; the unfortunate the actors; the judge's bench the chair in which the director sits. His energies, his efforts, his whole heart—all of these go to teaching the actors how to portray their respective roles. The teaching does not carry with it severe punishment as a penalty for improper delineation of a character in the great drama, but it carries the thought that troubles are often blessings in disguise; that we must not expect this world to be a Utopia, a globe of perfect people without sin and without suffering; that all of us make mistakes, but "to err is human and to forgive is divine;" that every breathing mortal encounters his share of troubles in his pilgrimage from the cradle to the grave, but he must meet the difficulties and solve them in a sensible and philosophical way.

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If there were more Judge Vaughans in the world there would not be thousands of men and women, created to shine and bless, cringing behind prison walls; we would not be tempted to wonder if eternal vigilance is not at fault, fallen asleep like the watch on deck and letting human lives go to pieces on the breakers—lives that might have ridden all the billows of the sea and entered triumphant into the port of happiness, contentment and peace.

"Jottings of a Judge" really teaches us to cultivate the opportunities we have; to learn patience through the repeated overthrow of patience; sweetness through trial; strength through defeat. It shows us that we do not grow so much by externals as we do by the impulses within us that set out thoughts in the direction of higher ideals; that nothing can stop us if we are determined to grow; that after all we must recognize the Creator as our Judge, and to Him must we yield the

record of life's troubled day, and that His first word and His first smile will waft away the memory of our sorrows and our tears as the mist is caused to vanish by the splendor of the rising sun.

A JUDGE'S PLATFORM

To the Voters of the City of Akron:

It is a well established rule, and properly so, that a candidate for public office should make known to the voters the principles and policies he intends to pursue in the conduct of the office he seeks. As a candidate for the responsible office of Police Judge, I desire to make this public statement of my position on the various questions which may arise during my administration in the event I should be elected.

Akron can no longer be classed as a small city, but must be considered large, growing and prosperous. Its influence is felt in every part of the world, with increase in the size of the city comes a greater complication in the administration of justice, and the probability of a more extensive violation of law. Thus the work of the Police Court becomes comparatively more complicated, and de-

mands the attention of one of mature years, and considerable experience in the practice of law, together with a thorough knowledge of human nature.

The enforcement of law is one of the chief factors in making the morals of any community what they should be. Vice and crime thrive where the law is not enforced, or where it is only partially enforced. If elected to the office of Police Judge I shall endeavor to enforce all City Ordinances and State Laws.

The guiding principle of my administration, if elected, will be justice to all, having due respect for the constitutional rights and privileges of persons charged with crime. I shall make the Police Court a place for the administration of justice, and not a place for the public amusement.

I favor the parole system only in cases where it is likely to reform the unfortunate and accomplish good for those depending upon them.

I am opposed to its application in cases of habitual offenders. In other words, I favor the "Golden Rule" when it is likely to assist the unfortunate to overcome evil tendencies and aid those who depend upon the offender for a livelihood; and I favor the enforcement of the iron rule where efforts to reform have failed and the offender can be shown the error of his way only by stringent supervision. If I am elected to the office of Police Judge in the City of Akron, my court shall know no favorites. Position or station in life shall have no weight in the determination of the guilt or innocence of the accused. The wealthy and poverty stricken alike, will be compelled to stand or fall upon the merits of their case. It will be the policy of my administration to begin court promptly; and to compel witnesses to remain in court only so long as it is necessary; and to try cases with all the haste consistent with a fair and impartial trial. The practice of compelling witnesses to come to court day after day,

thus causing great inconvenience, will be absolutely abolished during my administration.

To recapitulate. It will be the policy of my administration if elected to the office of Police Court Judge of the City of Akron:

1—To rigidly enforce all laws.

2—To administer justice according to the facts developed in the trial.

3—To make the Police Court a place for the administration of justice.

4—To assist the unfortunate where assistance is likely to bring about reform.

5—To try all cases as expeditiously as is consistent with justice.

6—To eliminate the waste of time of the officers of the court, and the witnesses called to testify before the court, and lastly to assist all law abiding citizens and the duly elected city officials to make Akron a clean city morally.

I respectfully solicit the support of the voters of the City of Akron.

Very respectfully,

AN APPRECIATION

February 14, 1920.

Hon. (Judge) R. Vaughan,
Central Savings & Trust Bldg.,
Akron, Ohio.

My Dear Judge:—

It has always been the policy of the writer to express his appreciation of the kind deeds and good works of his friends during their lifetime, than to extol their virtues after they have passed on to that Great Beyond, from which no traveler e'er returns, and having made a close study of the manner in which you handled cases while occupying the bench of Police Court of our city, I wish to commend and congratulate you on so ably and efficiently filling a position most trying in the extreme.

In particular, I desire to call your attention to one or two incidents that occurred in

your court, in which it was my (let us say) good fortune to represent certain persons whose names we will not mention, charged with offenses against the laws of society. One in particular wherein my client was charged with an offense punishable by imprisonment in the penitentiary had he been proven guilty of the charge alleged against him. This man was addicted to the use of liquor and pleaded guilty, without realizing the nature of the charge and before securing service of counsel. Your Honor agreed with counsel that an investigation should be made before proceeding further with the case, and after report of investigation had been made in this cause, the charge was reduced to a minor offense by consent of all parties concerned in the prosecution, the offender given a nominal fine and costs, upon condition that he attend church regularly, abstain from the use of liquors and report to the probation officer.

I wish to say to your Honor that this party has often called my attention to the trouble

he was in at that time, and stated that he owes his present success to the advice and kind words spoken by your Honor from the bench, as he is now a prosperous business man, owning his own home and a credit to society.

The other case referred to, was one wherein (and here enters the humorous situation, which your Honor could always grasp) the offender was charged with taking and carrying away 5 planks, 2x12. This case your Honor said *should be investigated,* for the reason that it was an unusual load, as the writer contended that his client was also loaded at the time of the taking and carrying away.

Result, after investigation:—My client was fined the costs, sentenced to church and as in the above mentioned case hereinbefore referred to, is now an earnest church worker, dutiful husband and father, and in a short time will have his own home free and clear of all encumbrances.

In calling your attention to the above incidents, the writer believes that the saving of these two men alone, putting them on the proper plane, brought about solely through your wisdom and discretion in handling the cases brought before you, is sufficient to give you that satisfaction which comes of knowing within your own heart that you have performed a duty well.

From my experience in your court, and comments made by the bench and bar of Summit County, you served both faithfully and well, without fear or favor, impartial in handing down justice to the rich or the poor, the politician or vagabond, with an earnest desire to serve mankind to the best of your ability, and in closing I wish to say to you in the words of Rip Van Winkle, "May you live long and prosper."

Sincerely yours,

E. E. Zesiger.